

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 15, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAIME HERRERA,

Defendant.

No. 1:22-cr-02037-MKD

PROTECTIVE ORDER

ECF Nos. 39, 40

Before the Court is the United States' Motion for a Protective Order, ECF No. 39, and Motion to Expedite, ECF No. 40. The United States asserts the underlying investigation in this matter involved multiple witnesses whose identities must be protected out of a concern for retaliation, tampering, or intimidation. ECF No. 39 at 1. Defendant does not object to the United States' proposed Protective Order. *Id.*

The Court has reviewed the motion and the record and is fully informed. The Court finds good cause to grant the United States' motions to ensure the safety of witnesses and Defendant's right to prepare a defense.

1 Accordingly, **IT IS ORDERED:**

2 1. The United States' Motion for Protective Order, **ECF No. 39**, is
3 **GRANTED.**

4 2. The United States' Motion to Expedite, **ECF No. 40**, is **GRANTED.**

5 3. Subject to the below, the United States will provide discovery
6 materials that had previously been provided with redactions to defense counsel;

7 4. The United States is authorized to continue to redact names and other
8 identifying information concerning witnesses from the discovery materials; where
9 witnesses' identifying information has been redacted, witnesses will be identified
10 as "Witness 1," "Witness 2," etc., consistently throughout the discovery materials;

11 5. Until further Order of the Court, defense counsel may show to, and
12 discuss with the Defendant, discovery materials subject to this Protective Order;
13 such discovery materials may not however be left in the Defendant's custody;

14 6. Defense counsel shall not otherwise provide original or copies of the
15 discovery materials subject to this Protective Order to any other person, including
16 subsequently appointed or retained defense counsel, but excluding any staff of
17 defense counsel or investigator and/or expert engaged by defense counsel, who
18 will also be bound by the terms and conditions of the Protective Order;

19 7. The United States, defense counsel, and witnesses may reference the
20 existence and content of sealed / sensitive discovery material in open and closed

1 court proceedings relevant to Case No. 1:22-CR-02037-MKD; provided however,
2 any written reference to the content of the protected discovery shall be filed under
3 seal.

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
5 and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals
6 Service.

7 **DATED** November 14, 2022.

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9 *s/Mary K. Dimke*
MARY K. DIMKE
UNITED STATES DISTRICT JUDGE
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